

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

\* \* \*

LONNIE HENDERSON,

Case No. 3:22-cv-00525-LRH-CLB

Plaintiff,

ORDER

v.

TANNER MCVAY; DOES 1-10; BLACK  
AND WHITE COMPANIES;  
PARTNERSHIPS A & B, inclusive,

Defendants.

Before the Court is Defendant's response (ECF No. 7) to the Court's December 12, 2022, order (ECF No. 5), to which Plaintiff did not respond.

After an initial review of Plaintiff's complaint and Defendant's petition for removal, the Court held that Defendant had not established that the Court has subject matter jurisdiction under the diversity of citizenship jurisdiction standard. Though the parties are of diverse citizenship, the Court found that it required more evidence to determine whether the amount in controversy exceeds \$75,000 exclusive of interest and costs exists because it was not facially apparent from the complaint that it did. ECF No. 5 at 2–3. The Court provided Defendant with additional time to file summary-judgment-type evidence that demonstrates the amount in controversy requirement is met. *Id.* at 3.

In response, Defendant provided a declaration by Michael Pintar, the Defendant's attorney, and copies of Plaintiff's medical bills that have thus far been disclosed. The medical bills and declaration demonstrate that Plaintiff's medical bills have totaled at least \$69,117.80. ECF No. 7-1 at 4. Plaintiff will also be making a demand for damages regarding how a second car accident

1 aggravated the injuries he sustained during the accident at issue in this case. ECF No. 7-2 at 2.  
2 And Plaintiff is seeking general damages in an amount in excess of \$15,000.

3 Based on this evidence, the Court is satisfied that the amount in controversy requirement  
4 exceeds \$75,000 exclusive of interest and costs. Accordingly, the Court finds that it has subject  
5 matter jurisdiction over this case through diversity jurisdiction.

6 IT IS SO ORDERED.

7 DATED this 20<sup>th</sup> day of January, 2023.

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9 LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE